

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**S.E.S., as next friend and mother of minor,
J.M.S.**

Plaintiff,

v.

**GALENA UNIFIED SCHOOL DISTRICT
No. 499,**

Defendant.

Case No. 18-2042-DDC

MEMORANDUM AND ORDER

Plaintiff S.E.S. originally filed this action against defendant Galena Unified School District No. 499 on behalf of her minor son, J.M.S., in her capacity as J.M.S.'s general guardian. And, the court granted plaintiff's request to proceed with this case using initials for herself and her family members. *See* Doc. 19. J.M.S. now has filed a Motion for Order Granting Plaintiff Leave to Proceed in His Own Name, Discharging Plaintiff's Next Friend, and Amending Caption of Case (Doc. 87). Plaintiff J.M.S.—Jak Stanley—explains that he was a minor when the suit was filed, but he since has turned 18. Doc. 87 at 1. Thus, he now has the legal capacity and obligation to prosecute this action in his own name under Fed. R. Civ. P. 17. *Id.* Defendant does not oppose the request.

The court agrees plaintiff's motion should be granted. Because Jak Stanley is no longer a minor, it is no longer appropriate for him to proceed with this action through his next friend and general guardian or by using his initials. *See* Fed. R. Civ. P. 5.2(a)(3); Fed. R. Civ. P. 17. The court thus grants plaintiff leave to proceed in his own name. Finally, the court directs the Clerk of the Court to recaption this case as *Jak Stanley v. Galena Unified School District No. 499*.

IT IS THEREFORE ORDERED BY THE COURT THAT plaintiff's Motion for Order Granting Plaintiff Leave to Proceed in His Own Name, Discharging Plaintiff's Next Friend, and Amending Caption of Case (Doc. 87) is granted.

IT IS FURTHER ORDERED THAT the Clerk of the Court shall recaption this case as *Jak Stanley v. Galena Unified School District No. 499*.

IT IS SO ORDERED.

Dated this 23rd day of December, 2020, at Kansas City, Kansas

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge